

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,                         )  
   )  
   )  
Plaintiff,   )   8:03CR384  
   )  
   )  
v.   )  
   )  
THEOPHALAS MAYS,                                     )   ORDER  
   )  
   )  
Defendant.   )  
   )  
\_\_\_\_\_

This matter is before the Court on defendant's motion for sentence reduction pursuant to 18 U.S.C. § 3582(C)(2) (Filing No. 94) and the stipulation of the parties (Filing No. 95). Pursuant to the retroactive amendment to the cocaine base guidelines, the defendant's final offense level is reduced from 31 to 29. His criminal history category remains at II. His sentence should be reduced to fifty-three (53) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures.

Accordingly,

IT IS ORDERED:

- 1) The motion for sentence reduction (Filing No. 94) is granted. The stipulation of the parties (Filing No. 95) is approved and adopted.
- 2) The sentence of the defendant is reduced to fifty-three (53) months. Defendant shall receive credit for all time served.

3) The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 7th day of November, 2011.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court